



State of Louisiana
DEPARTMENT OF NATURAL RESOURCES
OFFICE OF COASTAL MANAGEMENT

Special Public Notice

Announcement of a Routine Program Change to incorporate the St. Charles Parish Local Coastal Management Program into the Louisiana Coastal Resources Program

In accordance with the regulations of the Federal Coastal Zone Management Act (15 CFR 923.80-84), the Louisiana Coastal Resources Program (LCRP), which is administered by the Louisiana Department of Natural Resources, Office of Coastal Management (OCM), is submitting the St. Charles Parish Local Coastal Management Program to the National Oceanic and Atmospheric Administration's Office for Coastal Management (NOAA/OCM) for review and inclusion as a Routine Program Change (RPC) of the LCRP.

Background: Louisiana Parish Local Coastal Management Programs:

The federally approved Louisiana Coastal Zone comprises all or part of the following twenty Louisiana parishes: Ascension, Assumption, Calcasieu, Cameron, Iberia, Jefferson, Lafourche, Livingston, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Martin, St. Mary, St. Tammany, Tangipahoa, Terrebonne and Vermilion.

Ten of these twenty Louisiana parishes have developed Local Coastal Management Programs (LCMP) under the Louisiana State and Local Coastal Resources Management Act of 1978, (Act 361, La. R.S. 49:214.21 et seq). The ten parishes that have developed LCMPs are: Calcasieu, Cameron, Lafourche, Jefferson, Orleans, Plaquemines, St. Bernard, St. James, St. Tammany and Terrebonne.

Once an LCMP has received federal and state approval, the parish becomes the permitting authority for coastal uses of local concern defined as "those uses which directly and significantly affect coastal waters and are in need of coastal management but are not uses of state concern and which should be regulated primarily at the local level if the local government has an approved program" (RS. 49:214.25.A.2). The development and approval of a parish LCMP can also allow for increased local government participation in broader coastal issues and programs such as Louisiana's diverse coastal protection and restoration efforts. An approved program also provides localized expertise and a more convenient local contact to assist citizen with regulatory permits and other coastal issues. St. Charles Parish has developed a LCMP that has been approved for incorporation into the LCRP by Louisiana Department of Natural Resources Secretary, Thomas F. Harris.

Background: Routine Program Change

The federal Coastal Zone Management Act (CZMA) was passed by the United States congress in 1972. The CZMA provided that states could develop coastal programs subject to federal approval and oversight. In response to the CZMA, Louisiana enacted the State and Local Coastal Resources Management Act (SLCRMA) of 1978 and the state developed the LCRP pursuant to SLCRMA. The LCRP received federal approval in 1980 and the LCRP has received federal assistance grants since that time. In order for the LCRP to continue to remain consistent to its federal approval it must abide by the CZMA and its regulations.

The requirement at (15 CFR 923.80-84) of the federal CZMA regulations is that any changes in a state program must be reviewed by NOAA/OCM to determine if the change meets approval criteria. There are two types of program changes recognized - amendments and routine program changes. Amendments are defined under (15 CFR Part 923, Subpart H §923.80(d)), as substantial changes on one or more of the five program areas identified in subparts B through F of Part 923. These five program areas are: 1) uses subject to management; 2) special management areas; 3) boundaries; 4) authorities and organization; or 5) coordination, public involvement, and national interest. A routine program change (RPC) is a further detailing of a state's program that does not result in a substantial change to any one or more of the five specified program areas.

Reasoning for Proposed RPC Determination

Louisiana contends that the St. Charles Parish LCMP approval constitutes an RPC rather than an amendment to the LCRP because it does not substantially change any of the five program approval areas listed in 15 CFR Part 923, Subpart H, §923.80(d). The approval of the St. Charles Parish LCMP would bring the number of state and federally approved LCMPs from ten to eleven. The St. Charles Parish LCMP operates within the pre-established statutory parameters of the LCRP and makes no new substantive changes to 1) uses subject to management; 2) special management areas; 3) boundaries; 4) authorities and organization; or 5) coordination, public involvement, and national interest. Therefore, Louisiana asserts that the addition of the St. Charles Parish LCMP into the LCRP should be considered a further detailing of the LCRP and approved as a RPC.

Conclusion

In accordance with 15 CFR 923.80-84, the July 1996 Final Program Change Guidance and the Addendum to the Office of Ocean and Coastal Resource Management's July 1996 Program Change Guidance of November 2013, the State of Louisiana asserts that the addition of the St. Charles Parish LCMP into the LCRP should be considered further detailing the LCRP and approved as a RPC.

An electronic copy of the St. Charles Parish LCMP Programmatic Document is available on the web at: <http://data.dnr.la.gov/lcp/StCharlesCZM.pdf>. Additionally, hard copies of the St. Charles Parish LCMP Programmatic Document are available for review at the following locations:

Louisiana Department of Natural Resources, Office of Coastal Management in the LaSalle Building at 617 North Third Street, Baton Rouge, LA 70802;

Louisiana State Library at 701 North 4th Street, Baton Rouge LA 70802;

Office of the St. Charles Parish President, the Honorable Larry Cochran, St. Charles Parish Courthouse Third Floor, 15045 River Road, P.O. Box 302, Hahnville, LA 70057;

Office of Earl Matherne, St. Charles Parish Planning and Zoning Director - Coastal Zone Management Administrator, St. Charles Parish Department of Planning and Zoning, 14996 River Road, P.O. Box 302, Hahnville, LA 70057;

St. Charles Parish East Regional Library, 160 West Campus Drive, P.O. Box 759, Destrehan, LA 70047;

St. Charles Parish West Regional Library, 105 Lakewood Drive, P.O. Box 949, Luling, LA 70070;

Comments on the RPC

The OCM-proposed RPC request to incorporate the addition of the St. Charles Parish LCMP in to the LCRP will be submitted to NOAA/OCM on **September 26, 2016**. NOAA will review the proposed RPC request and make a final determination pursuant to 15 CFR §923.84(b)(3).

Any comments concerning whether this action should be considered as a RPC should be submitted in writing to NOAA/OCM by **October 19, 2016, within three weeks from this request's submission to NOAA at the following address.**

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